

m. H.

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

In the Matter of the Tracking of
(Identify the person to be tracked or describe
the object or property to be used for tracking)
2019 Blue Honda Accord
OHIO LICENSE PLATE – GQN 3121
VIN: 1HGCV1F34KA107766

Case No.

2:22-mj-00231

APPLICATION FOR A TRACKING WARRANT

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of 21 U.S.C. § 846. Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

- ☒ The person, property, or object is located in this district. ☐ The activity in this district relates to domestic or international terrorism.
- ☐ The person, property, or object is not now located in this district, but will be at the time of execution. ☐ Other:

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

- ☒ evidence of a crime; ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime; ☐ a person to be arrested or a person who is unlawfully restrained.
- ☒ I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:
- ☒ Delayed notice of 30 days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Special Agent Alexa Montesano

Applicant's printed name and title

Sworn to before me and signed in my presence.

Date: 3/31/2022

City and state: Columbus, Ohio

TESTED TO BY FACETIME @ FRCP

Norah McCann King
United States Magistrate Judge

Judge's signature

Norah McCann King, U.S. Magistrate Judge
Printed name and title

INTRODUCTION

I, Alexa Montesano, (hereafter referred to as affiant) been duly sworn depose and state:

1. I am a Special Agent with the Drug Enforcement Administration (DEA), assigned to the Detroit Field Division, Columbus District Office. As such, I am an “investigative or law enforcement officer” of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18 United States Code, Section 2516(1). During this time, your affiant has accumulated the following training and experience:

2. I graduated from the DEA Academy located in Quantico, Virginia in 2021. I received approximately 16 weeks of specialized narcotics related training. The training included controlled substances identification, narcotics related investigative techniques, interview and interrogation training, preparation of search warrants, tactical application of narcotics enforcement, surveillance and electronic monitoring techniques, and money laundering investigations.

3. As a DEA agent, I have participated in the execution of numerous search warrants at residences and businesses of narcotics traffickers, safe houses, and have participated in numerous search warrants and investigations for drug related offenses.

4. As a DEA agent, I have participated in investigations targeting individuals and organizations trafficking heroin, cocaine, cocaine base (“crack”), marijuana, fentanyl, and its analogues, methamphetamine and other controlled substances as defined in 21 U.S.C. § 801. I know that these are controlled substances under 21 U.S.C. § 801.

5. During the course of my law enforcement career, I have had experience in debriefing defendants, interviewing participating witnesses, cooperating individuals, and other persons who have personal knowledge and experience regarding the amassing, spending,

conversion, transportation, distribution and concealment of records and proceeds of trafficking in controlled substances.

6. Before joining DEA, I was a police officer for approximately two years, during the course of my law enforcement career, I have had experiences with narcotics investigations.

7. The facts and information contained herein are based on my personal knowledge and experience, that of other law enforcement personnel, surveillance operations, and from persons with knowledge regarding relevant facts and witnesses. This affidavit is intended to show that there is sufficient probable cause for the requested warrants and does not set forth all of my knowledge about this investigation.

PROBABLE CAUSE

1. I make this Affidavit in support of an application, pursuant to Federal Rule of Criminal Procedure 41, for a Search Warrant, authorizing the placement, installation, and use of a Global Positioning System ("GPS") mobile tracking device on:

2. A blue 2019 Honda Accord, bearing Ohio registration of GQN 3121 and vehicle identification number (VIN) 1HGCV1F34KA107766 (hereinafter, "**TARGET VEHICLE**"), utilized by RaySean PINAGER (hereinafter, "**PINAGER**").

3. I submit that there is probable cause to believe that the **TARGET VEHICLE** has been and will be used by **PINAGER** to facilitate the distribution and possession with the intent to distribute controlled substances as well as conspiring to distribute and possess with the intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841 and 846, within the Southern District of Ohio and elsewhere. I further state that there is probable cause to believe that the installation and use of the tracking device in or on the **TARGET VEHICLE** will lead to evidence, fruits, and instrumentalities of the aforementioned crimes, as well as to the identification of individuals who are engaged in the commission of those and related crimes.

4. In May 2021, members of the DEA Columbus District Office (hereinafter, "CDO") and local law enforcement in Ohio began investigating into the **PINAGER** drug trafficking organization (hereinafter, "DTO") for distributing large quantities of cocaine and methamphetamine throughout the Southern District of Ohio.

5. In January, 2022, United States Southern District of Ohio Magistrate Judge Kimberly A. Jolson signed a federal search warrant to initiate a signal (GPS) to determine the location of telephone number (614) 928-6004 which is being utilized by **PINAGER**.

6. In the same month, a confidential source (hereinafter "CS-1") identified an apartment located at 2596 Satyr Hill, Columbus, Ohio as a "stash house" being utilized by **PINAGER**. CS-1 advised investigators that he/she obtained that information from **PINAGER**. Based on investigators training and experience, a "stash house" is a location utilized for the storage and/or distribution of illegal narcotics and/or their drug proceeds.

7. On February 15, 2022, United States Southern District of Ohio Magistrate Judge Elizabeth Preston Deavers signed a federal GPS search warrant for the **TARGET VEHICLE**.

8. On the same date, investigators observed the **TARGET VEHICLE** at El Rodeo Mexican Restaurant at 2808 Stelzer Road, Columbus, Ohio. Investigators observed **PINAGER** exit the restaurant engaged in conversation with an unidentified male (hereinafter "UM1"). Investigators observed **PINAGER** enter into the **TARGET VEHICLE** and depart. Investigators observed UM1 enter into a 2020 Gray Chevrolet Trax and depart. A few moments later, investigators observed the **TARGET VEHICLE** and the Gray Chevrolet arrive separately at 2596 Satyr Hill. Investigators observed **PINAGER** exit the **TARGET VEHICLE**, UM1 exit the Gray Chevrolet, and both **PINAGER** and UM1 enter into the residence. A few moments later, investigators observed UM1 exit the residence, enter into the Gray Chevrolet and depart.

9. Approximately three hours later, investigators observed **PINAGER** exit the residence, enter into the **TARGET VEHICLE** and depart. Through electronic surveillance, investigators observed the **TARGET VEHICLE** still stationary within the apartment complex. A few moments later, investigators observed the **TARGET VEHICLE** arrive back at 2596 Satyr

Hill. Investigators observed **PINAGER** exit the **TARGET VEHICLE** carrying a bag, and enter into the residence. Approximately ten minutes later, investigators observed **PINAGER** exit the residence, carrying what appeared to be a different bag, place the bag into the trunk of the **TARGET VEHICLE**, and depart.

10. Since February, 2022 to present, investigators through electronic surveillance have observed the **TARGET VEHICLE** making multiple visits to 2596 Satry Hill which investigators believe to be utilized as **PINAGER**'s "stash house".

11. On or about February 28, 2022, investigators observed the **TARGET VEHICLE** at 2637 Manor Hill Lane, Columbus, Ohio, which is the registered address of **PINAGER**. Investigators know that 2637 Manor Hill Lane is **PINAGER**'s registered address however, 8227 Woodland Creek Court, Blacklick, Ohio is the residence **PINAGER** shares with his significant other. Investigators observed an unidentified male (hereinafter "UM2") engaged in conversation at the driver's side of the **TARGET VEHICLE**. Investigators observed the **TARGET VEHICLE** depart 2637 Manor Hill and arrive at 1665 Geraldine Avenue, Columbus, Ohio, Investigators observed **PINAGER** exit the **TARGET VEHICLE** and engage an unidentified male (hereinafter "UM3") in conversation outside of the residence for a short period of time before departing. A few moments later, investigators observed the **TARGET VEHICLE** arrive at the Bradford at Easton Apartment's located off of Stelzer Road in Columbus, Ohio. Investigators observed **PINAGER** exit the **TARGET VEHICLE** carrying what appeared to be a brown paper bag in his left hand and was greeted by an unidentified male (hereinafter "UM4"). Investigators observed **PINAGER** and UM4 enter into an unknown apartment. A few moments later, investigators observed **PINAGER**, empty handed, exit the unknown apartment, enter into the **TARGET VEHICLE**, and depart. A few moments after the **TARGET VEHICLE** departed, investigators observed UM4 enter into a black Honda and depart.

12. On the same date, a short period of time later, investigators observed the **TARGET VEHICLE** arrive at 1601 Woodland Avenue, Columbus, Ohio. Investigators, who already were in the vicinity of the residence, observed **PINAGER** on foot in the front yard of 1665 Geraldine Avenue engaged in conversation with UM4, when a 2007 black Cadillac pulled up and parked in front of the residence on Geraldine Avenue. An unidentified male (hereinafter "UM5") exited the

Cadillac and engaged **PINAGER** and UM4 in conversation in the front yard. A few moments later, investigators observed, who appeared to be, UM3 appear from the back of the residence and engage **PINAGER**, UM4, and UM5 in conversation in the front yard. Investigators observed **PINAGER**, UM3, UM4, and UM5 all enter into the residence. A few moments later, investigators observed UM4 exit the residence and enter into, what appeared to be the same, a black Honda and depart. A few moments after the black Honda departed, investigators observed **PINAGER** exit the residence and depart the area on foot. A few moments after **PINAGER** departed, investigators observed UM5 exit the residence, enter into the black Cadillac, and depart.

13. On the same date throughout surveillance, investigators observed **PINAGER**, utilizing the **TARGET VEHICLE**, driving slowly, immediately pulling off onto the side of the road after making turns, and doing a lap around the parking lot before exiting an area. Investigators know counter surveillance to be a technique consistent with illegal narcotics activity to attempt to identify law enforcement.

14. Based on investigators training and experience and knowledge of this case, investigators know that often times, visits to multiple locations for short periods of time are consistent with illegal narcotics trafficking. Investigators believe that **PINAGER** was attempting to conceal illegal narcotics activity.

15. Based on the facts in this affidavit, investigators believe **PINAGER** is utilizing the **TARGET VEHICLE** to further his cocaine and methamphetamine DTO in the Southern District of Ohio.

REQUEST ACCESS TO TRACK VEHICLE

1. To track the movement of the **TARGET VEHICLE** effectively and to decrease the chance of detection, investigators pursue to place a mobile tracking device in or on the **TARGET VEHICLE** while in the Southern District of Ohio. It may be necessary to enter onto private property and/or move the **TARGET VEHICLE** in order to effect the installation,

adjustment, repair, replacement, and/or removal of the tracking devices. Your Affiant therefore requests authorization to enter onto private property to effect the installation, adjustment, repair, replacement, and removal of the tracking devices. Your affiant further requests authority to enter the **TARGET VEHICLE** for the purpose of installing, maintaining, and removing the GPS tracking device.

2. Additionally, your affiant requests permission to affix, adjust, repair, replace, and remove this mobile tracking device at any time of day or night. As detailed above, your affiant believes **PINAGER** will continue to utilize the **TARGET VEHICLE** to conduct narcotics transactions. Due to the surreptitious and cautious nature of drug traffickers, it may be difficult for investigators to affix this mobile tracking device in regular daylight hours. Further, the congested roadways and pedestrian traffic of Columbus, Ohio increase the risk that investigators may be detected or arouse suspicion. Therefore, your affiant also requests permission to affix this mobile tracking device at any time day or night.

3. In the event the Court grants this application, there will be periodic monitoring of the mobile tracking device during both daytime and nighttime hours. In addition, the mobile tracking device may produce signals from inside private garages or other such locations not open to public or visual surveillance.

DELAYED NOTIFICATION

1. In accordance with Title 18, United States Code, Section 3103a(b), I request that the Court order delay of notification of the execution of the order for a period not to exceed 30 days (or some lesser period) because there is reasonable cause to believe that providing immediate notification would seriously jeopardize the investigation. It is requested that such period of delay thereafter be extended by the court for good cause shown, subject to the condition that extensions should only be granted upon an updated showing of the need for further delay.

CONCLUSION

1. WHEREFORE, your affiant respectfully requests that the Court issue an order authorizing investigators of the Department of Justice, including the DEA or their authorized representatives, including but not limited to other law enforcement agents and technicians assisting in the above-described investigation, to install and remove a mobile tracking device in or on the **TARGET VEHICLE**, and to surreptitiously enter onto private property and into the **TARGET VEHICLE** at any hour of the night or day in order to install the electronic tracking device, remove the electronic tracking device, or to make any mechanical adjustments should the device become inoperable and to monitor the signals from that tracking device, for a period of 45 days following the issuance of the Court's order, including signals produced from inside private garages and other locations not open to the public or visual surveillance, and signals produced in the event that the **TARGET VEHICLE** leave the Southern District of Ohio but remains within the United States.

2. I also request that the Order authorizes investigators of the DEA, or their authorized representatives not be required to leave a copy of the Court's Order in any vehicles entered, due to the covert nature of the installations and investigation.

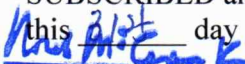
The above information is true and correct to the best of my knowledge, information and belief.



Alexa Montesano
Drug Enforcement Administration
Special Agent

ATTESTED TO BY FACETIME @ f.R. Cr. P. 4.1

SUBSCRIBED and SWORN to before me
this 31st day of March, 2022. Time: 3:33 pm.


Norah McCann King
United States Magistrate Judge
Honorable Norah McCann King
United States Magistrate Judge
Southern District of Ohio

